

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Curtis J. Dietlin
Lorraine L. Dietlin
Debtor(s)**

Bankruptcy Case No.: 18-11200-TPA
Per February 11, 2020 Proceeding
Chapter: 13
Docket No.: 35 – 27, 30, 32
Concil. Conf.: 12/3/19 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 30, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

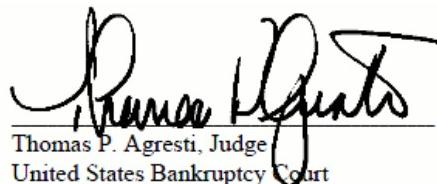
- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on 12/3/19 at 10:30 AM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- H. Additional Terms: 1) Erie County Tax Claim Bureau (Claim No. 19) governs as secured at 9%.
2) Wilmington (Claim No. 18-2) governs at amount and interest rate to be treated as a pay in full.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

- A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.
- B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.
- C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.
- D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.
- E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) **IT IS FURTHER ORDERED THAT:**

- A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
- B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
- D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
- E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.
- F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: February 14, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Curtis J. Dietlin
 Lorraine L. Dietlin
 Debtors

Case No. 18-11200-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vsom
 Form ID: 149

Page 1 of 2
 Total Noticed: 50

Date Rcvd: Feb 14, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 16, 2020.

db/jdb +Curtis J. Dietlin, Lorraine L. Dietlin, 3412 Washington Avenue, Erie, PA 16508-2332
 14985570 +Carrington Mortgage Services, LLC, 1600 South Douglass Road, Anaheim, CA 92806-5951
 14951799 +Citi/Sears, Citibank/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
 14951798 +Citi/Sears, Po Box 6282, Sioux Falls, SD 57117-6282
 14984826 +Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 14951800 +Citibank/The Home Depot, Po Box 6497, Sioux Falls, SD 57117-6497
 14951802 +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
 14984238 Credit First NA, PO Box 818011, Cleveland, OH 44181-8011
 14951806 +Credit First National Association, 6275 Eastland Rd, Brookpark, OH 44142-1399
 14951807 +Credit First National Association, Attn: Bankruptcy, Po Box 81315, Cleveland, OH 44181-0315
 14951808 +Daniel Santucci, Esq., 1 International Plaza, 5th Floor, Philadelphia, PA 19113-1510
 15009546 +Erie County Tax Claim Bureau, 140 West Sixth Street, Room 110, Erie, PA 16501-1073
 14951811 +Fnb Cons Disc Co, 2501 W 12th St, Erie, PA 16505-4527
 14951812 +Mercury/FBT, Po Box 84064, Columbus, GA 31908-4064
 14951813 +Mercury/FBT, Attn: Bankruptcy, Po Box 84064, Columbus, GA 31908-4064
 14951831 +Visa Dept Store National Bank/Macy's, Po Box 8218, Mason, OH 45040-8218
 14951832 +Visa Dept Store National Bank/Macy's, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040-8053
 14985486 +Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO BOX 130000, Raleigh NC 27605-1000
 14951833 +Wells Fargo Dealer Services, Po Box 1697, Winterville, NC 28590-1697
 14951834 +Wells Fargo Dealer Services, Attn: Bankruptcy, Po Box 19657, Irvine, CA 92623-9657

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14951792 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 15 2020 02:52:03 Capital One,
 15000 Capital One Dr, Richmond, VA 23238
 14951793 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 15 2020 02:51:29 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14976966 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 15 2020 02:51:30 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14951796 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 15 2020 02:51:29 Capital One Na,
 Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14951794 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 15 2020 02:52:03 Capital One Na,
 Po Box 30281, Salt Lake City, UT 84130-0281
 14971189 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 15 2020 02:50:59 Capital One, N.A.,
 PO Box 71083, Charlotte, NC 28272-1083
 14951805 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 15 2020 02:45:01 Comenitycapital/boscov,
 Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
 14951804 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 15 2020 02:45:02 Comenitycapital/boscov,
 Po Box 182120, Columbus, OH 43218-2120
 14951809 E-mail/Text: mrdiscen@discover.com Feb 15 2020 02:44:54 Discover Financial, Po Box 15316,
 Wilmington, DE 19850
 14956921 E-mail/Text: mrdiscen@discover.com Feb 15 2020 02:44:54 Discover Bank,
 Discover Products Inc., PO Box 3025, New Albany, OH 43054-3025
 14951810 +E-mail/Text: mrdiscen@discover.com Feb 15 2020 02:44:54 Discover Financial, Po Box 3025,
 New Albany, OH 43054-3025
 14951814 +E-mail/Text: bankruptcypdt@mcmcg.com Feb 15 2020 02:45:19 Midland Funding,
 2365 Northside Drive, San Diego, CA 92108-2709
 14951815 +E-mail/Text: bankruptcypdt@mcmcg.com Feb 15 2020 02:45:19 Midland Funding,
 2365 Northside Dr Ste 300, San Diego, CA 92108-2709
 14983397 +E-mail/Text: bankruptcypdt@mcmcg.com Feb 15 2020 02:45:19 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011
 15051606 E-mail/Text: blegal@phfa.org Feb 15 2020 02:45:22 PHFA/HEMAP, 211 NORTH FRONT ST,
 PO BOX 8029, HARRISBURG, PA 17105
 14983765 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 15 2020 02:52:06 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14953967 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 15 2020 02:51:03 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14951816 +E-mail/Text: blegal@phfa.org Feb 15 2020 02:45:22 Pa Housing Finance Age,
 2101 N. Front Street, Harrisburg, PA 17110-1086
 14981094 E-mail/Text: bnc-quantum@quantum3group.com Feb 15 2020 02:45:05 Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
 Kirkland, WA 98083-0788
 14983267 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:51:59 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 14951819 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:51:26 Synchrony Bank/ JC Penneys,
 Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
 14951817 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:52:00 Synchrony Bank/ JC Penneys,
 Po Box 965007, Orlando, FL 32896-5007
 14951821 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:51:26 Synchrony Bank/Amazon,
 Po Box 965015, Orlando, FL 32896-5015
 14951823 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:51:59 Synchrony Bank/Amazon,
 Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060

District/off: 0315-1

User: vson
Form ID: 149

Page 2 of 2
Total Noticed: 50

Date Rcvd: Feb 14, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

14951826 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:50:57 Synchrony Bank/Care Credit,
Attn: Bankruptcy Dept, Po Box 965061, Orlando, FL 32896-5061
14951825 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:51:29 Synchrony Bank/Care Credit,
C/o Po Box 965036, Orlando, FL 32896-0001
14951828 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:52:03 Synchrony Bank/Lowes,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
14951827 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:51:27 Synchrony Bank/Lowes,
Po Box 956005, Orlando, FL 32896-0001
14951830 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:51:26 Synchrony Bank/Walmart,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
14951829 +E-mail/PDF: gecscedi@recoverycorp.com Feb 15 2020 02:50:57 Synchrony Bank/Walmart,
Po Box 965024, Orlando, FL 32896-5024

TOTAL: 30

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Wilmington Savings Fund Society, FSB, as trustee o
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14951797* +Capital One Na, Attn: General Correspondence/Bankruptcy, Po Box 30285,
Salt Lake City, UT 84130-0285
14951795* +Capital One Na, Po Box 30281, Salt Lake City, UT 84130-0281
14951801* +Citibank/The Home Depot, Po Box 6497, Sioux Falls, SD 57117-6497
14951803* +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,
St Louis, MO 63179-0034
14951820* +Synchrony Bank/ JC Penneys, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
14951818* +Synchrony Bank/ JC Penneys, Po Box 965007, Orlando, FL 32896-5007
14951822* +Synchrony Bank/Amazon, Po Box 965015, Orlando, FL 32896-5015
14951824* +Synchrony Bank/Amazon, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
TOTALS: 1, * 9, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 16, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 14, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A bkgroup@kmllawgroup.com
Kenneth M. Steinberg on behalf of Debtor Curtis J. Dietlin julie.steidl@steidl-steinberg.com, kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Kenneth M. Steinberg on behalf of Joint Debtor Lorraine L. Dietlin julie.steidl@steidl-steinberg.com, kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 5